

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skpf.com

ROBERT GREENE STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX***
DAVID K.S. CORNWELL
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TRACY-GENE G. DURKIN
MICHELE A. CIMBALA
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MATTHEW J. DUNN**
AARON L. SCHWARTZ**

*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

WRITER'S DIRECT NUMBER:

(202) 218-7834

INTERNET ADDRESS:

BHAANES@SKGF.COM

January 17, 2002

Commissioner for Patents
Washington, D.C. 20231

Art Unit : To be assigned

Re: U.S. Utility Patent Application
Appl. No. 10/005,842; Filed: December 7, 2001
For: **Death Domain Containing Receptor 5**
Inventors: Ni *et al.*
Our Ref: 1488.131000A/EKS/EJH

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. Listing of the cited documents on Form PTO-1449 (8 sheets);
3. A copy of each of the forty-five (45) cited documents (AA1-AP1, AR1-AT1, AL2-AP2, AR2-AT2, AL3, AM3, AR3-AT3, AR4-AT4, AR5-AT5, AR6-AT6, AR7-AT7 and AR8-AS8) on Form PTO-1449; and
4. Return Postcard.

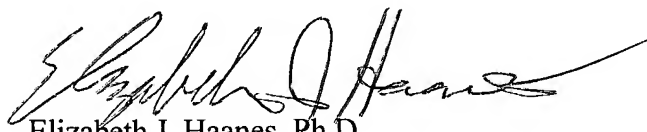
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
January 17, 2002
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in dark ink, appearing to read "Elizabeth J. Haanes", with a long, sweeping horizontal line extending to the right.

Elizabeth J. Haanes, Ph.D.
Attorney for Applicants
Registration No. 42,613

EJH/pcd
Enclosures

P:\USERS\BHAANES\1488\131000A\lds_skgfcvrltr

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ni *et al.*

Appl. No. 10/005,842

Filed: December 7, 2001

For: **Death Domain Containing
Receptor 5**Art Unit: *To be assigned*Examiner: *To be assigned*

Atty. Docket: 1488.131000A/EKS/EJH

Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

U.S. Patent Application No. 09/042,583, filed March 17, 1998, submitted herewith as Document AT7; and

U.S. Patent Application No. 09/565,009, filed May 4, 2000, submitted herewith as Document AR8.

Applicants wish to bring to the attention of the Examiner that SEQ ID NO.: 1 and the corresponding cDNA clone of this application are related to SEQ ID NOs. 7851 and 190763 in copending U.S. Patent Application Serial No. 09/912,293. A legible copy of that

portion of U.S. Patent Application No. 09/912,293 which caused it to be listed on the attached Form PTO-1449 is submitted herewith as Document AS8.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

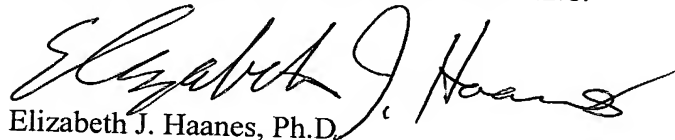
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

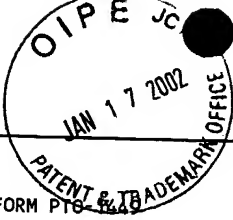
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Elizabeth J. Haanes, Ph.D.
Attorney for Applicants
Registration No. 42,613

Date: January 17, 2002

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600



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FORM PTO-1449

ATTY. DOCKET NO.
1488.131000A/EKS/EJHTECH CENTER 1600/2900
10/005,842

INFORMATION DISCLOSURE STATEMENT

APPLICANT
Ni et al.FILING DATE
December 7, 2001GROUP
To be assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	4,002,531	01/11/1977	Royer	195	68	01/22/1976
	AB1	4,946,778	08/07/1990	Ladner et al.	435	69.6	01/19/1989
	AC1	5,349,053	09/20/1994	Landolfi	530	351	06/10/1993
	AD1	5,447,851	09/05/1995	Beutler et al.	435	69.7	04/02/1992
	AE1	5,478,925	12/26/1995	Wallach et al.	530	351	08/07/1992
	AF1	5,530,101	06/25/1996	Queen et al.	530	387.3	12/19/1990
	AG1	5,565,332	10/15/1996	Hoogenboom et al.	435	69.1	09/23/1994
	AH1	5,643,575	07/01/1997	Martinez et al.	424	194.1	10/27/1993
	AI1	5,763,223	06/09/1998	Wiley et al.	435	69.5	06/25/1996
	AJ1	5,807,715	09/15/1998	Morrison et al.	435	69.6	06/27/1994
	AK1	6,072,047	06/06/2000	Rauch et al.	536	23.5	06/26/1997

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	EP 0 239 400 B1	09/30/1987	Europe			Yes No
	AM1	EP 0 401 384 B1	12/12/1990	Europe			Yes No
	AN1	WO 91/06570	05/16/1991	WIPO			Yes No
	AO1	WO 91/09967	07/11/1991	WIPO			Yes No
	AP1	CA 2045869	12/29/1991	Canada			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	1	Chaudhary, P.M., et al., "Death Receptor 5, a New Member of the TNFR Family, and DR4 Induce FADD-Dependent Apoptosis and Activate the NF- κ B Pathway," <i>Immunity</i> 7:821-830, Cell Press (December 1997).
AS	1	Chinnaiyan, A.M., et al., "Signal Transduction by DR3, a Death Domain-Containing Receptor Related to TNFR-1 and CD95," <i>Science</i> 274:990-992, American Association for the Advancement of Science (November 1996).
AT	1	Delgado, C., et al., "The Uses and Properties of PEG-Linked Proteins," <i>Crit. Rev. Ther. Drug Carrier Sys.</i> 9:249-304, CRC Press, Inc. (1992).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



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	AA						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2	EP 0 510 691 A1	10/28/1992	Europe			Yes No
	AM2	WO 94/01548	01/20/1994	WIPO			Yes No
	AN2	WO 95/06058	03/02/1995	WIPO			Yes No
	AO2	WO 98/32856	07/30/1998	WIPO			Yes No
	AP2	WO 98/35986	08/20/1998	WIPO			Yes No

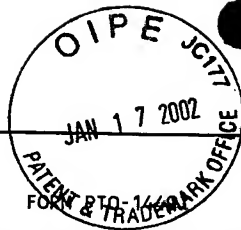
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	2	Huston, J.S., et al., "Protein Engineering of Single-Chain Fv Analogs and Fusion Proteins," <i>Meth. Enzymol.</i> 203:46-88, Academic Press, Inc. (1991).
	AS	2	Marsters, S.A., et al., "A novel receptor for APO2L/TRAIL contains a truncated death domain," <i>Curr. Biol.</i> 7:1003-1006, Current Biology Ltd. (December 1997).
	AT	2	Morpurgo, M., et al., "Covalent Modification of Mushroom Tyrosinase with Different Amphiphic Polymers for Pharmaceutical and Biocatalysis Applications," <i>Appl. Biochem. Biotechnol.</i> 56:59-72, Humana Press Inc. (January 1996).

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL3	EP 0 870 827 A2	10/14/1998	Europe			Yes No
	AM3	WO 99/02653	01/21/1999	WIPO			Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	3	Morrison, S.L., "Transfectomas Provide Novel Chimeric Antibodies," <i>Science</i> 229:1202-1207, American Association for the Advancement of Science (1985).
	AS	3	Pan, G., <i>et al.</i> , "The Receptor for the Cytotoxic Ligand TRAIL," <i>Science</i> 276:111-113, American Association for the Advancement of Science (April 1997).
	AT	3	Pan, G., <i>et al.</i> , "An Antagonist Decoy Receptor and a Death Domain-Containing Receptor for TRAIL," <i>Science</i> 277:815-818, American Association for the Advancement of Science (August 1997).

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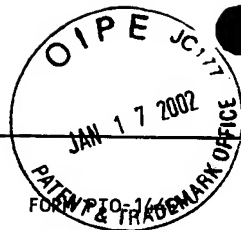
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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>4</u>	Rieger, J., et al., "APO2 ligand: a novel lethal weapon against malignant glioma?" <i>FEBS Lett.</i> 427:124-128, Federation of European Biochemical Societies (May 1998).
	AS	<u>4</u>	Roguska, M.A., et al., "Humanization of murine monoclonal antibodies through variable domain resurfacing," <i>Proc. Natl. Acad. Sci. USA</i> 91:969-973, National Academy of Sciences (1994).
	AT	<u>4</u>	Schneider, P., et al., "TRAIL Receptors 1 (DR4) and 2 (DR5) Signal FADD-Dependent Apoptosis and Activate NF- κ B," <i>Immunity</i> 7:831-836, Cell Press (December 1997).

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	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	5	Sheikh, S.M., et al., "p53-dependent and -independent Regulation of the Death Receptor KILLER/DR5 Gene Expression in Response to Genotoxic Stress and Tumor Necrosis Factor α ," <i>Cancer Res.</i> 58:1593-1598, American Association for Cancer Research (April 1998).
	AS	5	Sheridan, J.P., et al., "Control of TRAIL-Induced Apoptosis by a Family of Signaling and Decoy Receptors," <i>Science</i> 277:818-821, American Association for the Advancement of Science (August 1997).
	AT	5	Uhlén, M., et al., "Fusion proteins in biotechnology and structural biology," <i>Curr. Opin. Biotechnol.</i> 3:363-369, Current Biology Ltd. (1992).

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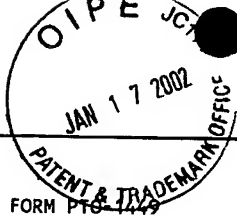
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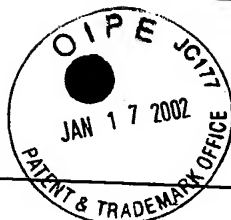
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	AR	<u>6</u>	Wiley, S.R., et al., Identification and Characterization of a New Member of the TNF Family that Induces Apoptosis," <i>Immunity</i> 3:673-682, Cell Press (1995).
	AS	<u>6</u>	Zamai, L., et al., "Natural killer (NK) Cell-mediated Cytotoxicity: Differential Use of TRAIL and Fas Ligand by Immature and Mature Primary Human NK Cells," <i>J. Exp. Med.</i> 188:2375-2380, Rockefeller University Press (December 1998).
	AT	<u>6</u>	NCBI Entrez, Genbank Report, Accession No. Z66083, from MacDonald, M., et al. (October 1995).

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	AL						Yes
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	AN						Yes
	AO						No
	AP						Yes
							No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	Z	NCBI Entrez, Genbank Report, Accession No. AA223122, from Hillier, L., et al. (February 1997).
AS	Z	NCBI Entrez, Genbank Report, Accession No. AA232440, from Hillier, L., et al. (February 1997).
AT	Z	Pending Non-Provisional United States Patent Application No.09/042,583, Ni et al., filed March 17, 1998.

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	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>8</u>	Pending Non-Provisional United States Patent Application No. 09/565,009, Ni et al., filed May 4, 2000.
AS	<u>8</u>	Pending Non-Provisional U.S. Patent Application No. 09/912,293, filed July 26, 2001, NOT PUBLISHED: pages 1-75 (pages 1 + 2 partially redacted); portion of Table 2; and SEQ ID NOs.: 7851 and 190763.
AT		

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